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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/583,637	08/03/2007	Egbert Classen	2003P01972WOUS	3546

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BSH HOME APPLIANCES CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
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EXAMINER

HAMMOND, BRIGGITTE R

ART UNIT	PAPER NUMBER
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2833

NOTIFICATION DATE	DELIVERY MODE
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12/20/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

NBN-IntelProp@bshg.com

Office Action Summary	Application No. 10/583,637	Applicant(s) CLASSEN ET AL.	
	Examiner Brigitte R. Hammond	Art Unit 2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 01 December 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14, 15, 23 and 24 is/are rejected.
- 7) ☒ Claim(s) 16-22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

It has come to the Examiner's attention that the reference number in the office action is misnumbered. Prior art reference numbers in the office actions are not required and are used only as a courtesy to the applicant. Prior art references are listed on Form PTO-892 (Notice of References Cited) in which Judge et al. was correctly cited. Nowhere in the Office action nor on the PTO-892 was "Mizumura" listed. Applicant has assumed that a typographical error occurred in the rejection statement with claims 14,23 and 24, but has not extended that assumption to the Judge et al. reference which was clearly a typographical error. However, as a courtesy to applicant, the Examiner shall substitute this Final action for the Final Rejection mailed Oct. 08, 2010.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 14,15 and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Judge et al. 2004/0005815. Regarding claims 14, Judge et al. discloses in figure 3 a connector device 70 comprising a first plug-in connector with connection elements effecting a detachable electrical/mechanical connection and a second plug-in connector establishing a detachable electrical/mechanical connection, the second connector has the same configuration for different cable plugs.

Regarding claim 15, structure 75 is waterproof.

Regarding claim 23, the first plug-in connector is a group plug with a plurality of contact elements.

Claims 14,23 and 24 are also rejected under 35 U.S.C. 102(b) as being anticipated by Machado 6,764,321. Regarding claims 14 and 24, Machado discloses in fig. 7, a connector device comprising a first plug-in connector and a second plug-in connector for a plurality of mains cables (not shown, see summary of invention).

Regarding claim 23, the first plug-in connector is a group plug with a plurality of contact elements.

Allowable Subject Matter

Claims 16-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 16, patentability resides, at least in part, in the connector device having a suppression filter detachably received in the housing, in combination with the other limitations of the base claim.

Response to Arguments

Applicant's arguments filed July 16, 2010 have been fully considered but they are not persuasive.

Applicant's claims are not structurally distinguishable from the prior art.

Regarding the Mizumura reference, It has come to the Examiner's attention that the reference number in the office action is misnumbered. Prior art reference numbers in the office actions are not required and are used only as a courtesy to the applicant. Prior art references are listed on

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Form PTO-892 (Notice of References Cited) in which Judge et al. was correctly cited. Nowhere in the Office action nor on the PTO-892 was “Mizumura” listed.

Regarding Applicant’s remarks to Machado lacking the plug-in connector being coupleable. The terms detachable/coupleable just mean that the structure be able to be coupled/detached. Also, in order to remove the USC 112 rejection, Applicant has stated on pages 4-5 of the remarks that “ With regard to claim 14, claim 14 defines a connector device...The mains cable and cable harness in fact are not positively claimed in claim 14.... In no instance in claim 14 are the mains cable and the cable harness positively claimed as part of the device.” Therefore, leaving applicant positively reciting a “A connector device, comprising a first plug-in connector including connection elements, the connection elements effecting a detachable mechanical and electrical connection, and a second plug-in connector establishing a detachable mechanical and electrical connection, wherein the second plug-in connector is provided”.

Apparatus claims must be structurally distinguishable from the prior art. While features of an apparatus may be recited either structurally or functionally, claims directed to an apparatus must be distinguished from the prior art in terms of structure rather than function. In re Schreiber, 128 F.3d 1473, 1477-78, 44 USPQ2d 1429, 1431-32 (Fed. Cir. 1997).

Conclusion

THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brigitte R. Hammond whose telephone number is (571)272-2006. The examiner can normally be reached on Monday-Thursday and alternate Fridays from 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Renee Luebke can be reached on 571-272-2009. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Brigitte R. Hammond/
Primary Examiner, Art Unit 2833

December 11, 2010

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